

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NORTH DAKOTA

In re:

Pro-Mark Services, Inc.,

Bky. Case No. 24-30167

Chapter 7

Debtor.

Erik A. Ahlgren, as Chapter 7 Trustee
of the Bankruptcy Estate of Pro-Mark Services, Inc.,
as Administrator of the Pro-Mark
Services, Inc. Employee Stock Ownership Plan, and
as Trustee of the Pro-Mark Services, Inc.
Employee Stock Ownership Trust,

Plaintiff,

v.

Adversary No. 24-07014

Connie Berg, Kyle Berg, Connie Berg Revocable
Living Trust, Kyle R. Berg Revocable Living Trust,
Chad DuBois, Mandy Grant, and Miguel Paredes,

Defendants.

**STIPULATED MOTION TO EXTEND BERG DEFENDANTS' TIME TO REPLY TO
PLAINTIFF'S RESPONSE TO BERG MOTION TO DISMISS**

1. Plaintiff Erik A. Ahlgren, as Chapter 7 Trustee of the Bankruptcy Estate of Pro-Mark Services, Inc., as Administrator of the Pro-Mark Services, Inc. Employee Stock Ownership Plan, and as Trustee of the Pro-Mark Services, Inc. Employee Stock Ownership Trust filed his Amended Complaint against the Defendants, including Defendants Connie Berg, Kyle Berg, Connie Berg Revocable Living Trust, and Kyle R. Berg Revocable Living Trust (collectively, the "Berg Defendants"), on September 25, 2024. [ECF No. 11.]

2. On October 9, 2024, Plaintiff and the Berg Defendants filed a stipulated motion to extend the Berg Defendants' time to respond to the Amended Complaint until November 22, 2024. [ECF No. 23.] By order dated October 10, 2024, the Court granted the motion. [ECF No. 25.]

3. On November 22, 2024, the Berg Defendants filed a Motion to Dismiss the Amended Complaint (the "Berg Motion to Dismiss"). [ECF No. 54.]

4. On November 26, 2024, Plaintiff and Berg Defendants filed a stipulated motion to extend Plaintiff's time to respond to the Berg Motion to Dismiss to January 10, 2025. [ECF No. 57.] By order dated December 2, 2024, the Court granted the motion. [ECF No. 59.]

5. On January 10, 2025, Plaintiff filed its response to the Berg Motion to Dismiss (the "Response"). [ECF No. 67.]

6. Berg Defendants requested that Plaintiff stipulate to an extension of Berg Defendants' time to file a reply to the Response to February 7, 2025. Plaintiff has no objection to this request.

7. Accordingly, Plaintiff and Berg Defendants hereby move the Court, by stipulation, for an order extending the deadline for Berg Defendants to file a reply to Plaintiff's Response to the Berg Motion to Dismiss to February 7, 2025.

Dated: January 15, 2025

/s/ Peter D. Kieselbach
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Date: January 15, 2025

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*Attorneys for Defendants Connie Berg, Kyle Berg,
Connie Berg Revocable Living Trust, Kyle R. Berg
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CERTIFICATE OF SERVICE

The undersigned certifies that on January 15, 2025, the above document was served on all counsel of record via CM/ECF.

/s/ Jordan E. Chavez
Jordan E. Chavez